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PTO/SB/64 (07-06)

Approved for use through 09/30/2006 OMB 0651-0031

US Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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PETITION FOR REVIVAL OF AN APPLICATION FOR PATENT ABANDONED UNINTENTIONALLY UNDER 37 CFR 1.377(b)		Docket Number (Optional) 60021-379701	
First named inventor: Julio J. Hernandez		Art Unit: 3623	
Application No.: 10/810,910		Examiner: Unassigned	
Filed: March 26, 2004			
Title: ENHANCED INSIGHT-DRIVEN CUSTOMER INTERACTIONS WITH A WORKBENCH			
Attention: Office of Petitions Mail Stop Petition Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450 FAX: (703) 872-8300			
NOTE: If information or assistance is needed in completing this form, please contact Petitions Information at (571)272-3282.			
The above-identified application became abandoned for failure to file a timely and proper reply to a notice or action by the United States Patent and Trademark Office. The date of abandonment is the day after the expiration date of the period set for reply in the Office notice or action plus any extensions of time actually obtained.			
APPLICANT HEREBY PETITIONS FOR REVIVAL OF THIS APPLICATION			
NOTE: A grantable petition requires the following items: (1) Petition fee; (2) Reply and/or issue fee; (3) Terminal disclaimer with disclaimer fee – required for all utility and plant applications filed before June 8, 1995; and for all design applications, and (4) Statement that the entire delay was unintentional.			
1. Petition fee <input type="checkbox"/> Small entity fee \$750.00. (37 CFR 1.17(m)). Applicant claims small entity status. See 37 CFR 1.27. <input checked="" type="checkbox"/> Other than small entity fee \$1,500.00. (37 CFR 1.17(m)).			
2. Reply and/or Fee A. The reply and/or fee to the above-noted Office Action in the form of <u>Rescission of Previous Nonpublication Request</u> (identify type of reply): <input type="checkbox"/> has been filed previously on _____ <input checked="" type="checkbox"/> is enclosed herewith. B. The issue fee of \$ _____. <input type="checkbox"/> has been filed previously on _____ <input type="checkbox"/> is enclosed herewith.			

08/22/2006 MBINAS 00000045 501901 10010910
01 FC:1453 1500.00 DA

[Page 1 of 2]

This collection of information is required by 37 CFR 1.378(c). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 1.0 hour to complete, including gathering, preparing, and submitting the complete application form to the USPTO. Time will vary depending on the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden should be sent to the Chief Information Officers, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop Petition, Commissioner for Patents, Alexandria, VA 22313-1450.

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3. Terminal disclaimer with disclaimer fee

- ☒ Since this utility/plant application was filed on or after June 8, 1995, no terminal disclaimer is required
- ☐ A terminal disclaimer (and disclaimer fee (37 CFR 1.20(d)) of \$_____ for a small entity or \$_____ for other than a small entity) disclaiming the required period of time is enclosed herewith (see PTO/SB/63).

4. STATEMENT: The entire delay in filing the required reply from the due date for the required reply until the filing of grantable petition under 37 CFR 1.137(b) was unintentional. [NOTE: The United States Patent and Trademark Office may require additional information if there is a question as to whether either the abandonment or the delay in filing a petition under 37 CFR 1.137(b) was unintentional (MPEP 711.03(c) subsections (III)(C) and (D))].

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038

OPPENHEIMER WOLFF & DONNELLY LLP

8-21-06
Date

Signature

612.607.7340
Telephone Number

Rudolph P. Hoffmann; Reg. No. 38,187

Typed or printed name(s); Registration No. (if applicable)

45 South Seventh Street, Suite 3300
Minneapolis, MN 55402-1609

ENCLOSURES

- ☐ Fee payment
- ☐ Reply
- ☐ Terminal Disclaimer
- ☐ Additional sheets containing statements establishing unintentional delay
- ☐ Other _____

CERTIFICATE OF MAILING OR TRANSMISSION (37 CFR 1.8(a))

I hereby certify that this correspondence is being:

- ☐ deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to the Mail Stop Petition, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.
- ☒ transmitted by facsimile on the date shown below to the United States Patent and Trademark Office at (571) 273-8300.

8-21-06
Date

Janet Byrne
Type or printed name of person signing Certificate

[Page 2 of 2]

OPPENHEIMER

OPPENHEIMER WOLFF & DONNELLY LLP

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45 South Seventh Street
Minneapolis, MN 55402-1609
www.Oppenheimer.com

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FAX COVER LETTER

August 21, 2006

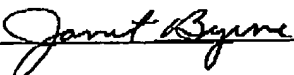
TO: Mail Stop Petition
COMPANY: Commissioner for Patents
PHONE:
FAX: 571.273.8300

FROM: Rudolph P. Hofmann
DIRECT DIAL: (612) 607-7340
EMAIL: RHofmann@oppenheimer.com
RE: U.S. Patent Application No. 10/810,910
Attorney Docket No.: 60021-379701

CERTIFICATE OF FACSIMILE TRANSMISSION

I hereby certify that the following documents are being facsimile transmitted on the date shown below, to Mail Stop Petition, Commissioner for Patents.

1. Transmittal Form
2. Fee Transmittal
3. Petition for Revival of an Application for Patent Abandoned Unintentionally
4. Rescission of Previous Nonpublication Request


Janet Byrne

8-21-06

Date

This facsimile contains confidential information intended only for the use of the addressee(s) named above and may contain information that is legally privileged. If you are not the addressee, or the person responsible for delivering it to the addressee, you are hereby notified that reading, disseminating, distributing or copying this facsimile is strictly prohibited. If you have received this facsimile by mistake, please immediately notify us by telephone and return the original message to us at the address above via the Postal Service (we will reimburse postage). Thank you.

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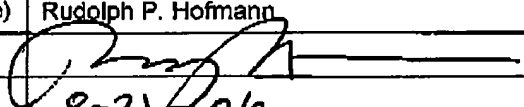
PTO/SB/21 (07-06)

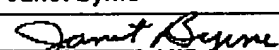
Approved for use through 09/30/2006. OMB 0851-0031
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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TRANSMITTAL FORM (to be used for all correspondence after initial filing)		Application Number	10/810,910
		Filing date	March 26, 2004
		First Named Inventor	Julio J. Hernandez
		Art Unit	3623
		Examiner Name	Unassigned
Total Number of Pages in This Submission	5	Attorney Docket Number	60021-379701

ENCLOSURES (Check all that apply)		
<input checked="" type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee attached <input type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input checked="" type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ <input type="checkbox"/> Landscape Table on CD	<input type="checkbox"/> After Allowance Communication to a Technology Center (TC) <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) please identify below): Rescission of Previous Nonpublication Request
Remarks:		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED	
Name (Print/Type)	Rudolph P. Hofmann
Signature	
Date	8-21-06

CERTIFICATE OF TRANSMISSION/MAILING	
I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner For Patents, P.O. Box 1450, Alexandria, VA 22313 on this date: 8-21-06	
Typed or printed	Janet Byrne
Signature	
Date:	8-21-06


This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.

AUG 21 2006

FEE TRANSMITTAL		<i>Complete if Known</i>	
for FY 2006		Application Number	10/810,910
		Filing Date	March 26, 2004
		First Named Inventor	Julio J. Hernandez
		Examiner Name	Unassigned
		Group Art Unit	3623
Patent fees are subject to annual revision. <input type="checkbox"/> Applicant Claims Small Entity		Attorney Docket No.:	60021-379701
TOTAL AMOUNT OF PAYMENT		\$1,500.00	

METHOD OF PAYMENT		FEE CALCULATION (continued)			
1. <input checked="" type="checkbox"/> Authorized to charge indicated fees or credit		4. ADDITIONAL FEES			
Deposit Acct No. Name:	50-1901 Oppenheimer Wolff & Donnelly LLP	Large Entity Fee Code	Small Entity Fee Code	Fee Description	Fee Paid
X Charge Any Add'l Fee Required Under 37 CFR 1.16 and 1.17		1051 130	2051 65	Surcharge - late filing fee or oath	
		1052 50	2052 25	Surcharge - late provisional filing fee or cover sheet	
		1053 130	1053 130	Non-English specification	
		1812 2,520	1812 2,520	Filing a request for <i>ex parte</i> reexamination	
2. <u>Payment Enclosed:</u> Check <u> </u> Credit <u> </u>		1804 920*	1804 920*	Requesting publication of SIR prior to Examiner action	
FEE CALCULATION		1805 1,840*	1805 1,840*	Requesting publication of SIR after Examiner action	
1. BASIC FILING FEE		1251 120	2251 60	Extension for reply within first month	
Large Fee	Small Fee	1252 450	2252 225	Extension for reply within second month	
1000*	500*	1253 1020	2253 510	Extension for reply within third month	
430*	215*	1254 1,590	2254 795	Extension for reply within fourth month	
660*	330*	1255 2,160	2255 1,080	Extension for reply within fifth month	
1400*	700*	1401 500	2401 250	Notice of Appeal	
200	100	1402 500	2402 250	Filing a brief in support of an appeal	
SUBTOTAL (1)		1403 1,000	2403 500	Request for oral hearing	
		1451 1,510	1451 1,510	Petition to Institute a public use proceeding	
2. EXTRA CLAIM FEES		1452 500	2452 250	Petition to revive - unavoidable	
Extra Claims	Fee	1453 1,500	2453 750	Petition to revive - unintentional	\$1,500.00
Claims - 20 =	50/25	1501 1,400	2501 700	Utility issue fee (or reissue)	
Ind. - 3 =	200/100	1502 800	2502 400	Design issue fee	
Claims Multiple Dependent	380/180	1503 1,100	2503 550	Plant issue fee	
		1460 130	1460 130	Petitions to the Commissioner	
Large Entity Fee (\$)	Small Entity Fee (\$)	1807 130	1807 130	Processing fee under 37 CFR 1.17(q)	
50	25	1806 180	1806 180	Submission of Information Disclosure Stmt	
200	100	8021 40	8021 40	Recording each patent assignment per property (times number of properties)	
380	180	1809 790	2809 395	Filing a submission after final rejection (37 CFR 1.129(a))	
200	100	1810 790	2810 395	For each additional invention to be examined (37 CFR 1.129(b))	
50	25	1801 790	2801 395	Request for Continued Examination (RCE)	
SUBTOTAL (2)		1802 900	1802 900	Request for expedited examination of a design application	
				Other fee (specify)	
3. Application Size Fee (Utility)					
If the specification and drawings exceed 100 sheets of paper, the application fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.18(a)					
SUBTOTAL (3)					
		SUBTOTAL (4) \$1,500.00			

SUBMITTED BY		<i>Complete (if applicable)</i>	
Name	Rudolph P. Hofmann	Registration No.:	38,187
Signature		Telephone:	612-607-7340
		Date:	8-21-06

*Includes: Filing fee + Examination fee + Search fee